

### **DETAILED ACTION**

The claims 1-4, 6, 9 and 13-23 are currently pending in the instant application. Applicants' amendment, filed on August 26, 2008, has overcome the rejection of claims 1-4, 6, 9 and 13-23 under 35 USC 112, first paragraph for not being enabled for "solvate" and the rejection has been withdrawn. The claims 1-4, 6, 9 and 13-23 are considered allowable.

#### **I. *Information Disclosure Statement***

The information disclosure statements (IDS) submitted on August 5, 2008 and October 7, 2008 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements have been considered by the examiner.

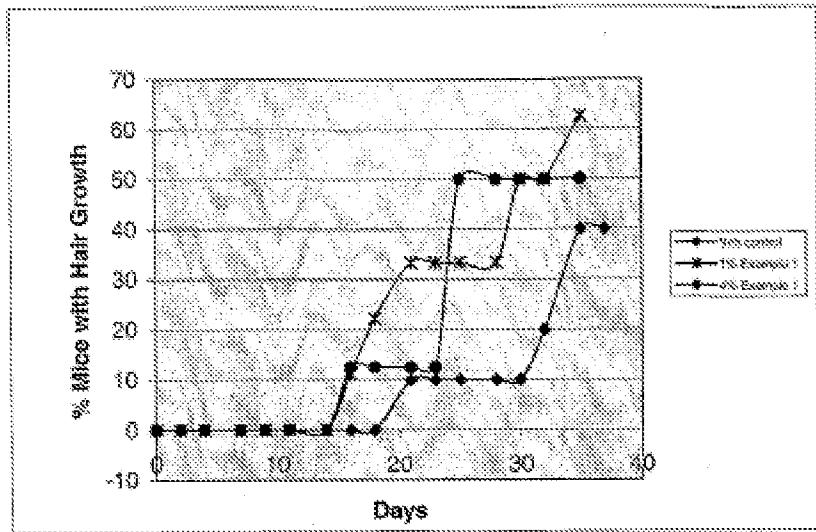
### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with J. Michael Dixon on January 15, 2009.

2. The application has been amended as follows:

**Delete** the illustration



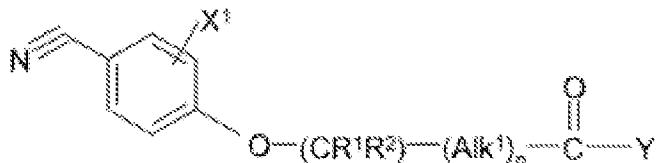
on page 111 of the specification.

**Delete** the paragraph "As shown in the diagram below, the product of Example 1 was active at concentrations of both 1% and 4%. Anagen was initiated in each of the test groups prior to its occurrence in the control group" on page 110, lines 20-22 of the specification.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

The invention relates to a compound having the Formula



wherein all variables are defined in claim 1. The closest prior art is Steiner, et al. (US 2004/0087557 A1) The compound having the above Formula is neither taught nor suggested by the prior art. The Examiner wants to note that the deletion of the illustration on page 111 of the specification does not impact the patentability of claims 1-4, 6, 9 and 13-23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawquia Young whose telephone number is 571-272-9043. The examiner can normally be reached on 7:00 AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on 571-272-0699. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shawquia Young/

Examiner, Art Unit 1626

/Kamal A Saeed/

Primary Examiner, Art Unit 1626